



Government of Jammu & Kashmir
DIRECTORATE OF SCHOOL EDUCATION JAMMU

NOTICE

FOR INFORMATION OF ALL CONCERNED

Subject: Regulation and Fixation of Fee of Private Educational Institutions of J & K

The directorate of school education, Jammu has issued general as well as specific notices to private schools affiliated to different Boards of school education and has also issued information notices to the parents requesting for sending complaints against private schools on the issue of charging exorbitant fees and other malpractices on email grievance.pvtsch@gmail.com. These notices were also published in leading newspapers of the State. The records of the schools are being obtained against which complaints have been received and the cases are being referred to the FFC for further directions on specific action against the erring schools. Specially constituted teams of the department are also inspecting the schools alongwith officials of legal metrology department and in many cases, schools have been fined for malpractices. The directorate has also requested the respective Deputy Commissioners to support the department in this regard.

However, it is felt there is a need to bring more clarity among general public and the parents/guardians in particular, about facts on the subject.

Therefore, for the information of all concerned, it is informed that:


1. In pursuance of the judgment of Hon'ble Supreme Court in the case titled Islamic Academy of Education of Education vs State of Karnataka and PIL titled Parents Coordination and ors vs State and ors, J&K Govt. constituted a committee for fixation of fee structure of private educational institutions in the State. (FFC) which is presently headed by Hon'ble Justice (Retd) Hakim Imtiaz Hussain.
2. All private educational institutions are supposed to approach the FFC for fixation of their fee structure.
3. Presently, the details of private schools which have got their fee structure fixed by the FFC, are available on the website of the committee www.jkffc.in
4. Some private schools, mostly affiliated to CBSE, challenged the notices issued by the committee before the Hon'ble High Court of J&K which has now been decided by the Hon'ble Court.
5. In respect of schools, which approached the FFC, the committee examined the cases of each school individually and fixed their fee structure as such.

6. In compliance to the directions of the Hon'ble High Court in a petition titled Tyndale-Biscoe & Mallinson School vs State of J&K and Ors, to lay down a mechanism for increasing the tuition fee by a certain percentage amount across the board on an annual basis dependent on certain criteria such as rate of inflation etc..the FFC , initially, allowed the schools to raise tuition fees structure by 8% during a period of three years.
7. Recently, in supersession of its earlier orders, FFC, vide order No 1 of 2019, allowed 6% increase in tuition fees.
8. Since , this order is applicable as on date, its provisions need to be understood which are as under:
 - a. Low budget schools charging tuition fee less than 1000 per month and the annual fee less than Rs 6000/- per annum need not apply to the FFC for fixation of fee structure. However, in these schools also, any enhancement upto Rs 1000/- and Rs 6000/- respectively shall be reasonable and gradual commensurate with the expenditure and the schools shall not indulge in profiteering.
 - b. Other private schools may raise their fee structure annually by not more than 6% on the fee structure existing as on 1st August 2018. For any enhancement beyond this ceiling, the school shall have to apply before the FFC with proper justification and required documentary proof.
 - c. All private schools imparting education from nursery to 12th class shall not charge any fee except, **tuition fee** reflecting recurring expenditure like salary, electricity and water supply bills etc, **Annual fee** which will include annual depreciation, repair and maintenance and one time fees like examination fee, computer fee, sports fee wherever applicable, **Transport fee**, to be charged only for those availing the facility on actual basis, **Voluntary Special Purpose Fee** like picnic , tour fee which is voluntary for the students.
 - d. Students shall be given the option of paying these fees monthly/ quarterly installments.
9. It is also for the information of parents as well as private schools that the schools cannot force the students to purchase uniform or books from shops/outlets arranged by them.
10. All the schools affiliated with JKBOSE have to follow text books as are prescribed by the JKBOSE while CBSE affiliated schools have to follow NCERT prescribed books.
11. In the order dated 1 of 2019, the FFC had provided that all private schools imparting education from nursery to 12th Class shall, within the period of one month from the date of issuance of that order, publish its present fee structure and the fee structure as it existed on 1st day of August 2014. These details shall be pasted on their notice board and school website and also by sending a copy thereof

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on email to the Director, School education, Chief Education officer concerned and the administrative officer of the FFC.

12. The Hon'ble High Court of J&K in its recent judgment has directed that the petitioner schools (who had challenged the notices issued by the FFC) shall refund the entire fee beyond the scale which was chargeable by the schools uptill August 2014 alongwith interest @ 9% per annum on the said sum. For the compliance of the judgment of the Hon'ble Court, the schools have been asked to deposit the details of their fee structure as it was in 2014 and as it exists at present and shall be placed before the FFC for further directions.
13. It is further informed that the schools which were supposed to make public their present fee structure and as it existed on August 2014 in terms of order No 1 of January 2019 now, after notices issued by the directorate and the FFC, have started sending their fee details. For further decision in their case, directions from the FFC have been sought and shall be implemented once the decision is conveyed by FFC.
14. In view of the ongoing admission process, this directorate has requested the FFC to convene an urgent meeting for the convenience of the parents. In the meantime, the inspection teams of the department are inspecting the concerned schools against which specific complaints have been received which are being redressed under rules.


(Anuradha Gupta) KAS
Director School Education,
Jammu.

No: DSEJ/Pvt/14602-31

Dated:20.04.2019

Copy to:

1. Commissioner Secretary to the Government, School Education Department, Civil Secretariat, J & K, Jammu.
2. Divisional Commissioner, Jammu.
3. Deputy Commissioners(All)
4. Controller, Legal Metrology Department
5. Joint Director, information, Jammu with the request to publish the same in leading local news papers.
6. Joint Directors, School Education
7. Administrative Officer, Fee Fixation Committee, J&K, Jammu
8. Chief Education Officers, Jammu Division
9. I/c website